

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed House Bill 189 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 13-22-3-10 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. **(a)** In addition
4 to any other requirements, ~~a permit may not be issued under this~~
5 ~~chapter for the construction or operation of~~ a hazardous waste facility
6 to be used for the destruction or treatment of a chemical munition
7 ~~unless the person applying for the permit has demonstrated with the~~
8 **Indiana hazardous waste number I001 must demonstrate** all of the
9 following:
10 (1) That the destruction or treatment technology to be used at the
11 proposed hazardous waste facility: ~~has been in operation:~~
12 **(A) at a facility comparable to the proposed hazardous waste**
13 **facility; and**
14 **(B) for a time sufficient to demonstrate that (A) will destroy**
15 **or treat** ninety-nine and nine thousand nine hundred
16 ninety-nine ten thousandths percent (99.9999%) of the
17 chemical munition processed; ~~at the comparable facility has~~
18 **been destroyed or treated; or**
19 **(B) will assure that the chemical munition processed has**
20 **been destroyed or treated to below the detection limit of**

- 1 **the analytical method approved by the commissioner.**
 2 (2) That monitoring data from a ~~comparable~~ **the** hazardous waste
 3 facility demonstrates that there are no emissions from the
 4 ~~comparable~~ facility that alone or in combination with another
 5 substance present a risk of any of the following:
 6 (A) An acute or a chronic human health effect.
 7 (B) An adverse environmental effect.
 8 (3) That a plan to:
 9 (A) provide sufficient training, coordination, and equipment for
 10 state and local emergency response personnel needed to
 11 respond to possible releases of harmful substances from the
 12 proposed hazardous waste facility; and
 13 (B) evacuate persons in the geographic area at risk from the
 14 worst possible release of:
 15 (i) the chemical munition; or
 16 (ii) a substance related to the destruction or treatment of the
 17 chemical munition;
 18 from the proposed hazardous waste facility;
 19 has been funded and developed.
 20 **(b) The department shall implement an inspection and**
 21 **oversight protocol for the facility to ensure that the requirements**
 22 **of this title are met."**
 23 Page 2, delete lines 1 through 26.
 24 Renumber all SECTIONS consecutively.
 (Reference is to ESB 189 as printed February 20, 2004.)

Representative Grubb